

BRADFORD R. JERBIC (Nevada Bar No. 1056)  
PHILIP R. BYRNES (Nevada Bar No. 166)  
LAS VEGAS CITY ATTORNEY'S OFFICE  
495 South Main Street  
6th Floor  
Las Vegas, NV 89101  
(702) 229-6629  
Fax: (702) 386-1749  
bjerbic@lasvegasnevada.gov  
pbyrnes@lasvegasnevada.gov

Attorneys for Plaintiff CITY OF LAS VEGAS

*See following page for additional counsel*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CITY OF LAS VEGAS, a municipal corporation,  
and CITY OF NORTH LAS VEGAS, a municipal  
corporation,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, a federal  
agency; NEIL KORNZE, Director, Bureau of Land  
Management; LAS VEGAS FIELD OFFICE,  
Bureau of Land Management; and GAYLE  
MARRS-SMITH, Field Manager, Las Vegas Field  
Office.

Defendants.

No. 2:14-CV-1566-JAD-VCF

JOINT STATUS REPORT AND  
STIPULATION REQUESTING  
EXTENSION OF STAY

(EXPEDITED ACTION REQUESTED)

1 SANDRA DOUGLASS MORGAN (Nevada Bar No. 8582)  
CITY ATTORNEY  
2 CITY OF NORTH LAS VEGAS  
2250 Las Vegas Boulevard North  
3 North Las Vegas NV 89030  
(702) 633-1050  
4 Fax: (702) 649-8879  
morgans@cityofnorthlasvegas.com

5 Attorneys for Plaintiff CITY OF NORTH LAS VEGAS  
6

7 LAWRENCE S. BAZEL (Nevada Bar No. 7988)  
BRISCOE IVESTER & BAZEL LLP  
8 155 Sansome Street, Seventh Floor  
San Francisco, CA 94104  
9 (415) 402-2700  
Fax (415) 398-5630  
10 lbazel@briscoelaw.net

11 Attorneys for Plaintiffs CITY OF LAS VEGAS and CITY OF NORTH LAS VEGAS  
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## INTRODUCTION

Defendants the United States Bureau of Land Management ("BLM"); Neil Kornze, Director of BLM; the Las Vegas Field Office, BLM; and Gayle Marrs-Smith, Field Manager, Las Vegas Field Office (collectively, "Defendants") and Plaintiffs the City of Las Vegas and the City of North Las Vegas (collectively, "Plaintiffs"), by and through counsel, stipulate to and respectfully request an order extending the current stay the proceedings for approximately ninety days, until **June 12, 2015**, at which time the Parties shall make a joint status report to the Court. All parties to this matter join this stipulation.

## GROUNDS FOR STAY

In the stipulation filed by Plaintiffs and Defendants (jointly, the "Parties") on December 19, 2014, the Parties reported their understanding that the National Defense Authorization Act for Fiscal Year 2015 ("NDAA FY2015"), which at the time had been passed by the U.S. Senate and House of Representatives but not signed by the President, contained provisions relating to the creation of the "Tule Springs Fossil Beds National Monument" in the Upper Las Vegas Wash (the "Tule Springs Monument"). The Tule Springs Monument affects lands at issue in this litigation. The parties requested a stay of the litigation so that they could consider the effect of the Tule Springs Monument, and so that they could vacate two deadlines"

- Reply in support of Defendants' Motion to Dismiss is due December 22, 2014 (per entry, Docket No. 14)
- Discovery Plan/Scheduling Order is due January 8, 2015 (per entry, Docket No. 11)

On December 22, 2014, this Court granted the stipulated request and stayed the litigation until March 20, 2015.

## JOINT STATUS REPORT

In the stipulation, the Parties represented that they would file a joint status report on March 20, 2015.

1 Since the stay went into effect, the proposed legislation has been signed by the President, and  
2 the Tule Springs Monument has been created. The Parties have identified other provisions of the  
3 legislation that affect this litigation.

4 The Parties have met in person and had preliminary discussions about settlement. The  
5 Parties are in the process of organizing a face-to-face settlement meeting, a process that is taking  
6 some time because of all the parties involved. Nevertheless, the Parties expect to be able to meet  
7 and have substantive settlement discussions before June 12, 2015.

8 The stay currently in place has promoted settlement by allowing the Parties to focus on  
9 resolution of the issues rather than on the details of litigation. Extending the stay will promote  
10 settlement by allowing the Parties to continue to devote their energies away from the current  
11 conflict, and towards a resolution of the Parties' differences. A stay will preserve the Parties'  
12 resources and may well preserve judicial resources by avoiding filings that may be unnecessary.

13 DATED this 20<sup>th</sup> day of March 2015.

14 /s/ William E. Gerard  
15 Trial Attorney  
16 Department of Justice  
17 Environment & Natural Resources Division  
18 P. O. Box 7611  
19 Washington, DC 20044-7611  
20 Attorney for Defendants

/s/ Lawrence S. Bazel  
BRISCOE IVESTER & BAZEL LLP  
155 Sansome Street, Seventh Floor  
San Francisco, CA 94104  
Attorneys for Plaintiffs

21 IT IS SO ORDERED.



22 UNITED STATES MAGISTRATE JUDGE

23 DATED: March 20, 2015